

// A special meeting of the Council of the City of Lynchburg, recessed from the earlier 11:45 a.m. meeting with the Industrial Development Authority Board, was held on the 24th day of January, 2006, at 1:00 P.M., Second Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Absent:

0

// Nicole Gilkeson, Community Development Planner, presented a power point presentation, explaining that the purpose of the presentation was to review available demographics related to the City's citizens and their housing, to discuss challenges for low-income residents as it relates to housing, to discuss challenges of deteriorated housing units and/or neighborhoods, to discuss public policy related to the citizens, housing needs and the quality of City neighborhoods, and to discuss the appropriate use of low income housing tax credits. Some Council Members commented that they would not want to take any steps that would increase the poverty level for the citizens. Following the presentation, City Council asked staff to provide information requested by Council Members Gillette and Seiffert.

// Lynn Dodge, Library Director, along with Ellen Nygaard, President of the Friends of the Library, provided an overview regarding the history of the Lynchburg Public Library in recognition of its 40th anniversary.

// Parks and Recreation Director Kay Frazier along with Parks Services Manager Andy Reeder presented an overview regarding a plan to dispose of the Southern Railway passenger car (which has deteriorated to the point where preservation is not a viable option), auction salvageable items and dedicate revenues from the sale of those items to the preservation efforts of the Kiwanis Club in restoring the Chesapeake and Ohio steam locomotive and the Norfolk and Western caboose located in Riverside Park. Mr. Reeder explained that the cost of asbestos removal and demolition is estimated at \$18,000, and that staff has submitted a SAFETEA-LU grant proposal that, if approved, will fund demolition and asbestos removal. Mr. Reeder also informed that if the City is not successful in receiving these grant monies, staff may request that contingency funds be made available to cover the costs of demolition at that time. Some Council Members commented that if the grant is not received, then the proceeds from the auction should first go to funding the removal of the car. Following discussion, Council Member Gillette made a motion to endorse the plan to dispose of the passenger car and auction salvageable items, but that the proceeds from the auction should first be applied to the removal of the passenger car. The motion was seconded by Council Member Johnson, and Council by the following recorded vote approved the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

// City Manager Kimball Payne along with City Traffic Engineer Gerry Harter provided a brief overview regarding a proposed ordinance to establish speeding zones in certain residential neighborhoods. Mr. Payne explained that according to the State Code, a local governing body can develop and adopt criteria implementing speed zones through residential neighborhoods that have an increased fine of \$200.00 or 20 hours of community service as ordered by the court. Mr. Payne went on to say that it is anticipated that

adoption of this fine will raise the awareness of motorists to obey the speed limits not only within these certain speed zones but also on other roads within the City. Mr. Payne also noted that according to State Code, these zones have to be properly designated with the fines clearly posted and that the increased speeding fines could be considered as one of the possible "tools" in the Neighborhood Traffic Management Program (NTMP) toolbox. In response to Council questioning, Mr. Payne confirmed that City Council would designate the streets following a review and recommendation by the City Traffic Engineer. Mr. Payne stated that the proposed ordinance would be scheduled for formal adoption by City Council at its February 10 meeting.

// City Manager Kimball Payne provided a brief overview regarding a request from Mike Davidson, Director of Economic Development for Campbell County, requesting that the City consider a forty (40) year free lease for the Mid-Atlantic Broadband Cooperative to install a node/hub site at the Lynchburg Regional Airport. Mr. Payne explained that City staff is strongly supportive of having this telecommunications infrastructure installed at the Airport and that its presence will enhance the marketability of both Airport property and those properties owned by the City and Campbell County that are planned for development as a joint commerce park. Mr. Payne went on to say that staff is recommending that City Council agree to allow the installation of fiber optic infrastructure at the Airport and to authorize staff to start the process of granting a franchise to the Mid-Atlantic Broadband Cooperative for the lease of the node/hub site. Mr. Payne informed that Mid-Atlantic is under a time crunch regarding the installation of the infrastructure and is willing to go ahead with plans for the installation with Council's indication of its willingness to grant the 40 year lease. Mr. Payne also noted that Airport Director Mark Courtney has already corresponded with the Federal Aviation Administration (FAA) and he is not anticipating any problem from that end. On motion of Council Member Dodson, seconded by Vice Mayor Foster, Council by the following recorded vote agreed to allow the installation of fiber optic infrastructure at the Lynchburg Regional Airport and to authorize staff to start the process of granting a franchise to the Mid-Atlantic Broadband Cooperative for the 40 year lease of the node/hub site:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

// City Manager Kimball Payne along with former Fire Marshal and now Acting Deputy Chief for Operations Doug DeJarnette provided an overview regarding possible amendments to the City's Open Air Burning Ordinance. Deputy Chief DeJarnette briefly reviewed several items for consideration as delineated in the January 24 report to Council. Deputy Chief DeJarnette also informed that the State is currently advertising amendments to its regulations regarding open air burning and that those changes would require an examination of the City's ordinance. City Attorney Walter Erwin provided a brief overview regarding some of the proposed changes to the State regulations regarding open air burning. Following discussion, City Council decided to wait until after the State has made its changes to its regulations before making any changes to the City's ordinance. Council Member Gillette stated that he would like to see what the City's ordinance would look like in order to bring the City's ordinance into compliance with the new State

regulations. On motion of Council Member Helgeson, seconded by Council Member Dodson, Council by the following recorded vote tabled the discussion regarding changes to the City's open air burning ordinance until the State adopts amendments to its regulations regarding open air burning:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// During roll call, Council Member Helgeson asked that City Council discuss at a future work session the process regarding making a recommendation to the Circuit Court Judge for an individual to serve on the Board of Zoning Appeals. Council Member Dodson inquired regarding the status of the donation of vehicles/equipment to the Mississippi Gulf Coast communities, informed regarding repairs needed at a bus stop near the Kemper Street Station on Park Avenue, inquired regarding the schedule of cleaning downtown streets, and expressed concern that Map Quest is directing travelers coming to Lynchburg from the east via the City's landfill and Wastewater Treatment Plant. In response to Council Member Dodson's request, City Manager Kimball Payne provided an update regarding a neighborhood meeting to discuss the future of the Hunton YMCA. Mr. Payne stated that a Committee has been formed to determine what needs to be done to bring that building and programs back to the community. Mayor Hutcherson informed regarding concerns expressed to him regarding the disrepair of the GLTC buses, including having no air conditioning.

// On motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote elected to hold a closed meeting for consultation with legal counsel and briefing by staff concerning a specific legal matter involving the settlement of a claim pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// The meeting was re-opened to the public.

// Council Member Johnson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Vice Mayor Foster, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// The meeting was adjourned at 4:59 p.m.

Clerk of Council